

INDEX REPORTING WORKSHEET

FC - 98 - 02009

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CASE NO.

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D D M M Y Y
DATE OF BOARD
DECISION

18 19 20 21 22 23 24 25

TYPE, D D M M Y Y
DISCH -- DATE OF DISCH

26 27 28 29 30 31 32 33 34 35 36 37 38 39 40

DISCHARGE AUTHORITY
(LEFT JUSTIFY)

41 42 43 44 45

REASON FOR
DISCHARGE

GRANT

46 47 48 49 50 51

BOARD DEC'N
(LEFT JUSTIFY)

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REVIEW
AUTHORITY

137.00

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ISSUES ADDRESSED

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DEPARTMENT OF THE AIR FORCE

WASHINGTON, D.C.

SEP 23 1998

Office of the Assistant Secretary
AFBCMR 98-02009

MEMORANDUM FOR THE CHIEF OF STAFF

Under the authority of Section 1552, Title 10, United States Code and AFI 36-2603, and having assured compliance with the provisions of the above regulation, the decision of the Air Force Board for Correction of Military Records is announced, and it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED] be corrected to show that on 25 May 1998, he elected spouse coverage, Option CA, immediate coverage, under the Reserve Component Survivor Benefit Plan, based on full retired pay.

DONNA PITTENGER
Chief Examiner
Air Force Board for Correction
of Military Records



DEPARTMENT OF THE AIR FORCE
WASHINGTON, D.C.

SEP 23 1998

Office of the Assistant Secretary
AFBCMR 98-02009

MEMORANDUM OF CONSIDERATION OF APPLICATION BEFORE THE AFBCMR

SUBJECT: [REDACTED]

Having carefully reviewed this application, we agree with the recommendation of the Air Force and adopt the rationale expressed as the basis for our decision that the applicant has been the victim of either an error or an injustice. Therefore, under the authority delegated in AFI 36-2603, the applicant's records will be corrected as set forth in the accompanying Memorandum for the Chief of Staff signed by the Executive Director or his designee.

Martha Maust
Panel Chair

Attachment
Ltr, ARPC/DR, dtd 25 Aug 98



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR RESERVE PERSONNEL CENTER

AUG 25 1998

MEMORANDUM FOR AFBCMR

FROM: HQ ARPC/DR
6760 E Irvington Place #3000
Denver CO 80280-3000

SUBJECT: Application for Correction of Military Records,
[REDACTED]

1. The requested action cannot be accomplished administratively at this headquarters.
2. The applicant is requesting that her spouse's record be corrected to show he made a spouse only election in the Reserve Component Survivor Benefit Plan (RCSBP) when he was first eligible.
3. The following is an analysis of the circumstances surrounding the case:

a. A certified package, notifying the member of his eligibility to participate in the RCSBP was mailed to his home address: [REDACTED]. The package was signed for by the member on 27 Feb 98 [REDACTED]. There is no record of an election being received by the HQ Air Reserve Personnel Center (ARPC).

b. The applicant states that her husband had a severe illness which prevented him from completing the application to participate in the RCSBP. The statements from attending physicians indicate that the member was diagnosed with a brain tumor in April 1998.

c. The requirement that a member submit the RCSBP election within 90 days of receipt is clearly established by Title 10, United States Code, Section 1448(a)(2)(B). The member would have been eligible to participate in the Survivor Benefit Plan on 19 Dec 02, when he reached age 60.

d. The member died on 17 Jun 98 at age 55.

4. Recommendation: Recommend the applicant's request be approved. Although there is no evidence that an injustice has occurred, the member's medical condition appears to have been a strong factor in his non-response. If the decision is to grant the relief sought, the member's record should be corrected to show that he elected full, immediate coverage for spouse only (Option CA) under the RCSBP, effective 25 May 98.

SANITIZED

9802009

5. Action officer is [REDACTED] HQ ARPC/DRSE [REDACTED] He can also be reached by fax at DSN 926-6255 or [REDACTED]

Signed

DAVID M. GALLOP
Director of Customer Assistance

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